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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,903	02/14/2002	Atsuko Koizumi	H-1024	4768
7590	10/27/2005		EXAMINER	
Mattingly, Stanger & Malur, P.C. 1800 Diagonal Road, Suite 370 Alexandria, VA 22314			FILIPCZYK, MARCIN R	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/073,903	KOIZUMI ET AL.
	Examiner Marc R. Filipczyk	Art Unit 2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 29 July 2005 and 25 August 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 7-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 7-10 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 14 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

This Action is responsive to Applicant's RCE request of August 25, 2005 and amendments submitted on July 29, 2005 and August 25, 2005.

**To expedite the process of examination Examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. amendments, 35 U.S.C. 112, objections and the like) set forth by the Examiner that Applicants provide and link to the most specific page and line numbers of the disclosure where the best support is found (see 35 U.S.C. 132).**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 25, 2005 has been entered.

Claims 7-10 are pending.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the **second paragraph** of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding claims 7 and 10, the term “collating” is indefinite. It is not clear how recognizing speech is achieved by merely collating user speech with customized sentence. Further it is not clear how information of the same type, i.e., user speech with relevant customized sentence is collated.

Regarding claims 8 and 9 depend from claim 7 and are therefore rejected on the same merits as claim 7.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh (U.S. Patent No. 5,774,671) in view of Anderson et al (U.S. Patent No. 5,878,423).**

Regarding claims 7 and 10, Satoh discloses a computer method and system of customizing a dictionary used for service, comprising the steps of: (fig. 9, S34, *extract dictionary*)

extracting user-oriented words from a set of registered user information (fig. 9, S31, *profile*);

generating a new customized sentence by inserting at least one of said user-specific vocabulary into a slot of a sentence template (fig. 9, S34, *including appropriate word*) and

storing said customized sentence into said dictionary (fig. 9, items S35 and S38, Satoh) but does not teach the customized sentence is used for recognizing speech inputted by said user.

However, Anderson teaches a system wherein a database of terms is used for specific index categories (fig. 3, item 37, Anderson) as possible choices for recognizing user inputted speech by comparing said user voice (fig. 2, items 42 and 203) with the scaled terms saved in a database (fig. 2, items 207 and 210, and col. 19 lines 7-16, Anderson).

Hence, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the two arts and derive with a speech recognition system that customizes a dictionary of possible answers based on a user profile. One would have been motivated to combine the two systems to minimize the voice recognition processing time and maximize accuracy (col. 4, lines 30 and 31, Anderson).

*(Note: most speech recognition systems use databases for storing and comparing information)*

Regarding claim 8, Satoh/Anderson disclose the set of registered user information is generated based on inputted answers to a questionnaire for the user (figures 4A-5C, Satoh).

Regarding claim 9, Satoh/Anderson disclose the sentence template include slot including a category of words that can be inserted in said slot, and said at least one of said user-oriented words is inserted in said slot according to said slot information (figs. 3 and 5A, Satoh).

#### ***Response to Arguments***

Applicant's arguments filed July 29, 2005 and August 25, 2005 have been fully considered but they are not persuasive. The arguments and responses are listed below.

On pages 7 and 8 of the 7/29/05 response, Applicant argues that Satoh does not disclose generating a new customized sentence by inserting a word in from a user specific vocabulary into a slot of a sentence.

Examiner disagrees. Referring to Fig. 9, Satoh specifically discloses extracting input data from profile data (S31), comparing the input data with a dictionary (S22) and extracting the dictionary pattern **including** the appropriate word from said profile data (S34). Then the new sentence is registered in database (S35), and may be changed in the dictionary based on condition (S38). Examiner further notes that modifying database/dictionary information based on profiles and other sources is notoriously well known in the art of computer sciences.

With respect to all the pending claims 7-10, Examiner respectfully traverses Applicants assertion based on the discussion and rejection above.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents further demonstrate the state of art regarding voice recognition systems and databases:

U.S. Patent No. 6,327,346 of Infosino

U.S. Patent No. 6,385,580 of Lyberg et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R. Filipczyk whose telephone number is (571) 272-4019. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF  
October 21, 2005

*Frantz Coby*  
FRANTZ COBY  
PRIMARY EXAMINER